#### I negate the resolution: Resolved: A just government ought to prioritize civil liberties over national security.

#### Ought is defined as used to express duty or moral obligation by Merriam webster

<http://www.merriam-webster.com/dictionary/ought>

#### Thus I value morality

#### Morality necessitates the government taking definite acts to maximize the greatest good

Hasnas 95 Governments must be utilitarian to resolve collective action problems. John Hasnas, (Associate Professor McDonough School of Business, Georgetown University) “From Cannibalism to Caesareans: Two Conceptions of Fundamental Rights) 95 <http://faculty.msb.edu/hasnasj/GTWebSite/NWweb.htm>

#### In fact, when rights conflict, the government has a positive obligation to resolve the conflict so as to preserve the underlying interest of greater moral significance. The most important--and least well understood--of these other grounds [of overriding or limiting rights] invokes the notion of *competing rights* that would be jeopardized if the right in question were not limited. . . . The individual rights that our society acknowledges often conflict in this way, and when they do it is the job of government to discriminate. If the Government makes the right choice, and protects the more important at the cost of the less, then it has not weakened or cheapened the notion of a right; on the contrary it would have done so had it failed to protect the more important of the two. So we must acknowledge that the Government has a reason for limiting rights if it plausibly believes that a competing right is more important. Thus, although the government may not abridge fundamental rights on utilitarian grounds, when rights conflict it may do so to preserve the more important underlying interest. But consider now that if the government is required to resolve conflicts of rights, it must first determine which of the interests underlying the conflicting rights is of greater moral significance. What basis does the government have for making such value judgments? As we have previously seen, the only ethical theory that is definite and simple enough to serve as a practical political morality is utilitarianism. The government is comprised not of philosophers, but of practically-minded lawyers, economists, statisticians, and other social scientists who are neither [not] trained in nor familiar with the vagaries of moral philosophy. Whether politician, bureaucrat, or judge, virtually all government officials have been trained that when their actions are not constrained by people's rights or other constitutional barriers, their duty is to produce the greatest good for the greatest number--to promote general utility. Furthermore, because governmental decision-making must be capable of objective justification to the public, the nature of the job simply precludes any approach that relies primarily upon a person's moral intuitions. Therefore, as a practical matter, the only basis the government has for making comparative assessments of value is its judgment [is] as to what will best serve the common good

#### The impossibility to attain knowledge of every outcome or abuse leaves utilitarianism as the only option for most rational decision-making

Goodin 95 – Professor of Philosophy at the Research School of the Social Sciences at the Australian National University (Robert E., Cambridge University Press, “Utilitarianism As a Public Philosophy” pg 63)

My larger argument turns on the proposition that there is something special about the situation of public officials that makes utilitarianism more plausible for them (or, more precisely, makes them adopt a form of utilitarianism that we would find more acceptable) than private individuals. Before proceeding with that larger argument, I must therefore say what it is that is so special about public officials and their situations that makes it both more necessary and more desirable for them to adopt a more credible form of utilitarianism. Consider, first the argument from necessity. Public officials are obliged to make their choices under uncertainty, and uncertainty of a very special sort at that. All choices-public and private alike- are made under some degree of uncertainty, of course. But in the nature of things, private individuals will usually have more complete information on the peculiarities of their own circumstances and on the ramifications that alternative possible choices might have for them. Public officials, in contrast, at relatively poorly informed as to the effects that their choices will have on individuals, one by one. What they typically do know are generalities: averages and aggregates. They know what will happen most often to most people as a result of their various possible choices. But that is all. That is enough to allow public policy makers to use the utilitarian calculus – if they want to use it at all – to choose general rules of conduct. Knowing aggregates and averages, they can proceed to calculate the utility payoffs from adopting each alternative possible general rule. But they cannot be sure what the payoff will be to any given individual or on any particular occasion. Their knowledge of generalities, aggregates and averages is just not sufficiently fine-grained for that.

#### Governments have a specific obligation to be utilitarian

Woller 97 Gary Woller [BYU Prof., “An Overview by Gary Woller”, A Forum on the Role of Environmental Ethics, June 1997, pg. 10]

Moreover, virtually all public policies entail some redistribution of economic or political resources, such that one group's gains must come at another group's ex- pense. Consequently,public**policies in a democracy must be justified to the public**, and especially to those who pay the costs of those policies. Such **[but] justification cannot** simply **be assumed** a priori **by** invoking some higher-order **moral principle**. Appeals to a priori moral principles, such as environmental preservation, also often fail to acknowledge that **public policies inevitably entail trade-offs** among competing values. Thus since policymakers cannot justify inherent value conflicts to the public in any philosophical sense, and **since public policies** inherently **imply winners and losers, the** **policymakers' duty [is]** to the public interest requires them **to demonstrate** that the redistributive effects and value trade-offs implied by **their polices are** somehow **to the** overall **advantage of society**. At the same time, deontologically based ethicalsystems have severe practical limitations as a basis for public policy. At best, [Also,] a priori moral principles provide only general guidance to ethical dilemmas in public affairs and do not themselves suggest appropriate public policies, and at worst, they create a regimen of regulatory unreasonableness while failing to adequately address the problem or actually making it worse

#### Just governments are created to protect their citizens.

Kemerling 11 (Kemerling, Gath. “Thomas Hobbes,” n.p. 2011, <http://www.philosophypages.com/hy/3x.htm>. )

Unable to rely indefinitely on their individual powers in the effort to secure livelihood and contentment, Hobbes supposed, human[s] beings join together in the [and] formation of a commonwealth. Thus, the commonwealth as a whole embodies a network of associated contracts and provides for the highest form of social organization. On Hobbes’s view, the formation of the commonwealth creates a new, artificial person (the Leviathan) to whom all responsibility for social order and public welfare is entrusted.

#### Utilitarianism is the only way to access morality. Sacrifice in the name of preserving rights destroys any hope of future generations attaining other values.

**Nye, 86** (Joseph S. 1986; Phd Political Science Harvard. University; Served as Assistant Secretary of Defense for International Security Affairs; “Nuclear Ethics” pg. 45-46)

Is there any end that could justify a nuclear war that threatens the survival of the species? Is not all-out nuclear war just as self contradictory in the real world as pacifism is accused of being? **Some people argue that "we are required to undergo gross injustice that will break many souls sooner than ourselves be the authors of mass murde**r."73 Still others say that "when a person makes survival the highest value, he has declared that there is nothing he will not betray**. But for a civilization to sacrifice itself makes no sense since there are not survivors to give meaning to the sacrifical [sic] act**. In that case, survival may be worth betrayal." Is it possible to avoid the "moral calamity of a policy like unilateral disarmament that forces us to choose between being dead or red (while increasing the chances of both)"?74 How one judges the issue of ends can be affected by how one poses the questions. If one asks **"what is worth a billion lives** (or the survival of the species)," it is natural to resist contemplating a positive answer. But suppose one asks, "**is it possible to imagine any threat to our civilization and values that would justify raising the threat to a billion lives from one in ten thousand to one in a thousand for a specific period**?**"** Then there are several plausible answers, including a democratic way of life and cherished freedoms that give meaning to life beyond mere survival. **When we pursue several values simultaneously, we face the fact that they often conflict and that we face difficult tradeoffs. If we make one value absolute in priority, we are likely to get that value and little else. Survival is a necessary condition for the enjoyment of other values,** but that does not make it sufficient. Logical priority does not make it an absolute value. Few people act as though survival were an absolute value in their personal lives, or they would never enter an automobile. We can give survival of the species a very high priority without giving it the paralyzing status of an absolute value. Some degree of risk is unavoidable if individuals or societies are to avoid paralysis and enhance the quality of life beyond mere survival. The degree of that risk is a justifiable topic of both prudential and moral reasoning.

#### The standard by which best upholds this framework is maximizing expected wellbeing.

#### Thus I contend that the only way for governments to adhere to their obligations is to prioritize national security.

#### Contention 1 is cyber attacks

#### Lack necessary protections against cyber attacks now

Brocklehurst 15, Working with network security technologies ranging from protocols to core encryption to intrusion detection/prevention to web application firewalls, she’s touched every layer in the ISO model. Katherine is a subject matter expert on security and compliance policies, and works on this every day in the field of security configuration management as senior solutions manager at Tripwire. "Cyberterrorists Attack on Critical Infrastructure Could Be Imminent," State of Security, http://www.tripwire.com/state-of-security/security-data-protection/security-controls/cyberterrorists-attack-on-critical-infrastructure-could-be-imminent/

In a November 20, 2014, hearing for the House Intelligence Committee, NSA Director Admiral Michael Rogers said several foreign governments had already hacked into U.S. energy, water and fuel distribution systems, potentially damaging essential services, according to Bloomberg. “This is not theoretical,” Rogers said. “This is something real that is impacting our nation and those of our allies and friends every day.” DHS Warns U.S. Utility Was Hacked In May 2014, the Department of Homeland Security and its Industrial Control Systems Cyber Emergency Response Team issued an ICS-CERT report warning of several known attacks against U.S. utilities in the first quarter of 2014. They cited details of one unnamed utility that had been breached and warned U.S. utilities to be on guard for intrusion activity. The complete article on this information is available here. CYBER THREATS CAN BE PHYSICAL Increasing cyber threat concerns are having an impact on critical infrastructure organizations because the physical implications have the potential to be catastrophic—cybersecurity rated as the fourth highest issue for energy executives in 2014, up from sixth place in 2013. This shows dramatic progress; it was not even in the top ten concerns for utilities two years ago. According to the 2014 annual report from industry consultants Black & Veatch conducted in May of 2014: “We are seeing an industry that is actively moving forward with the deployment of comprehensive asset protection plans following several high-profile cyber and physical threat events.” 48% OF ELECTRIC UTILITIES SURVEYED NEED CYBER THREAT PROTECTION Still – a survey of electric utility representatives showed that 48% of [representatives] indicated they did not have integrated security systems with the “proper segmentation, monitoring and redundancies” needed for cyber threat protection. Only 32% said they had these protections in place.

#### Cyber vulnerabilities threaten national security which is needed to safeguard civil liberties

Ferdinando 15 Dempsey: Cyber Vulnerabilities Threaten National Security By Lisa Ferdinando DoD News, Defense Media Activity Jan. 21, 2015 https://www.defense.gov/News/Article/Article/603952/dempsey-cyber-vulnerabilities-threaten-national-security/

BRUSSELS, Jan. 21, 2015 — Cyber vulnerabilities in the private sector pose a serious threat to national security, the chairman of the Joint Chiefs of Staff said. While military cyber defenses are formidable, civilian infrastructure and businesses often are targeted first and "present a significant vulnerability to our nation," Army Gen. Martin E. Dempsey said in an interview earlier this week in Rome, at the start of a two-nation European tour focused on threats to U.S. and European security. Because of that, he said, the United States faces a "level playing field" against cyber threats. "As the senior military officer of the most powerful military on the planet, I like to have the playing field tilted to my advantage,” he said. “I'd like the enemy to play uphill and us to play downhill." He ranks cybersecurity among his highest priorities, he added. **Legislation Needed for Information Sharing Cyber legislation is needed to protect the nation and to allow information sharing between the government and the private sector while safeguarding civil libertie**s, he said. President Barack Obama has made cybersecurity a top agenda item and pressed for new cyber legislation in last night's State of the Union address. "We haven't done enough -- that's just not internal to the military,” Dempsey said. “We haven’t done enough as a nation." The U.S. military depends on commercial networks, so the strongest military cyber defense still could be threatened by a weak link elsewhere, Dempsey said. "We have authorities and capabilities that allow us to do a pretty good job of defending ourselves," he added. "But the vulnerability of the rest of America is a vulnerability of ours, and that's what we have to reconcile." More than 20 countries now have military units dedicated to employing cyber in war, the chairman noted. He said he is worried adversaries will seek to exploit vulnerabilities in civilian critical infrastructure, viewing that as a "softer" target than the military itself. Cyberattacks Are Becoming a Part of Conflict Disruptive and destructive cyberattacks are becoming a part of conflict between states, within states and among nonstate actors, the general said. "From the day I became chairman, I realized that on my term, cyber would become both a greater threat to our national interests, but also a more important component of military capability," he said. While the U.S. dominates -- albeit with some constraints, whether air, space, land or sea -- the cyber domain is much different, Dempsey said, repeating that he doesn’t like that there are "actors out there who can compete with us on literally a level playing field." The chairman noted the military two years ago stood up the U.S. Cyber Command, which committed resources and migrated capabilities to the combatant commander level. Adversaries of the United States constantly seek to infiltrate networks and degrade capabilities, disrupt operations, or steal information, the chairman noted. "In cyber, we have competitors, and we have competitors who maybe aren’t as constrained by legal systems and freedoms as we are," he said. "It's going to be challenging to navigate this race."

#### Cyberattacks put the public at risk and reduce state legitimacy and authority, which means security is an internal link to a just government

Burk and Kallberg 13 (Rosemary A. Burk\* and Jan Kallberg\*\*, “Cyber Defense as Environmental Protection - The Broader Potential Impact of Failed Defensive Counter Cyber Operations”, Arkansas Tech University, 2013, pp 9-11, \*Rosemary Burk is an Assistant Professor in biology at Arkansas Tech University. Her works have been published by International Journal of Water Resource Development, Sustainability – The Journal of Record, and Journal of Freshwater Ecology, \*\*Jan Kallberg is an Assistant Professor at Arkansas Tech University and a Research Associate at the Cyber Security Research and Education Center, The University of Texas at Dallas. His works have been published in Joint Forces Quarterly, Strategic Studies Quarterly, Air and Space Power Journal, and IEEE Security and Privacy, //Accessed 6/15/17 GK)

Environmental damages are tangible and highly visible - flooding, undrinkable water, mudslides, toxic air, and chemical spills directly affect the population and their surrounding environment. A failed computer server park does not drive media attention, and becomes a talk piece in the general population, as a hundred thousand dead fishes floating down a river. The environmental impact is visible, connects with people on a visceral level that computers as of today has not reached, and generates a notion that the human core existence is in jeopardy. **Environmental damages trigger radical shifts in the public mind and the general sentiment**. For a minor state actor, such as an adversarial developing nation, **these attacks can be done with marginal budget and resources and still create significant political turbulence and loss of confidence in the population of a major power**. War, as mentioned, seeks to change policy and influence another nation to take steps that it earlier was unwilling to do. The panic that can follow environmental damages is a political force worth recognizing. Loss of Legitimacy and Authority Covert successful cyber attacks that lead to environmental impact are troublesome for the government – not only the damage – **but also the challenge to legitimacy, authority, and confidence in the government and political leadership**. **The citizens expect the state to protect them.** The protection of the citizens is a part of the unwritten social contract between then citizens and the government. The federal government’s ability to protect is taken for granted – it is assumed to be in place. If government fails to protect and safeguard the citizens the legitimacy is challenged. Legitimacy concerns not who can lead but who can govern. **A failure to protect is a failure to govern the nation entrusted and legitimacy is eroded.** The political scientist Dwight Waldo believed that we need faith in government; **for government to have a strong legitimacy it has to project, deliver, and promise that life would be better for citizens. In a democracy, the voter need a sense that they are represented, government works for their best, and government improves life for citizens and voters.** In the “Administrative State”12 , Waldo defined his vision of the “good life” as the best possible life for the population that can be achieved based on the time, technology, and resources.13 Authority is the ability to implement policy. Environmental hazards that lead to loss of life and dramatic long-term loss of life quality for citizens trigger a demand for the government to act. If the population questions the government’s ability to protect and safe-guard the government’s legitimacy and authority will suffer. One example is the Three Mile Island-accident that had an impact, even decades after the incident, on how citizen’s perceived the government’s nuclear policies and ability to ensure that nuclear power was a safe energy source. Harold R. Denton, the Director of the Office of Nuclear Reactor Regulation, was able to calm the public and reduce the fear during the Three Mile Island accident.14 During the duration of the events Harold R. Denton was president Carter’s personal representative at the site.15 It was essential for President Carter to show and project ability to handle the incident and to restore confidence in the general public for the government’s energy policies. Environmental risks tend to appeal not only to our general public’s logic but also emotions, foremost to the notion of uncertainty and fear, and a population that fears the future has lost confidence in government.

#### Contention 2 is enforcement

#### National security threats make it impossible for courts to enforce civil liberty protections because of clog and destruction; hurricane katrina proves

Garrett and Tetlow 06 (Brandon Garrett: Associate Professor of Law, University of Virginia School of Law. Tania Tetlow: Associate Professor of Law, Tulane University School of Law.) “CRIMINAL JUSTICE COLLAPSE: THE CONSTITUTION AFTER HURRICANE KATRINA.” DUKE LAW JOURNAL [Vol. 56:127], 2006, 128-129, Online: <http://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=1296&context=dlj>

Hurricane Katrina washed away the New Orleans criminal justice system. As residents evacuated, the jail flooded to inmates’ chests and police scrambled to enforce order without any communication. The water receded weeks later revealing “thousands of detainees await[ed]ing hearings and trials . . . thrust into a legal limbo without courts, trials, or lawyers”1 resulting in what one judge called “a ‘constitutional crisis.’”2 This dire situation lasted not just during the initial period of severe disruption, but for upwards of a year. While courts eventually reopened, they failed to act as eight thousand people languished for months “doing Katrina time” in prisons. Most were arrested for petty offenses such as public drunkenness, reading tarot cards without a permit, or failure to pay traffic tickets, and then detained based solely on a police affidavit. Most then served long past their likely sentences without ever receiving a judicial hearing.3 Nor did these thousands of detainees, mostly indigent, meet with lawyers. Only six public defenders remained in New Orleans, which the Chief Judge of the criminal court called “a full-blown disaster.”4 In effect, Louisiana courts suspended habeas corpus for six months. The United States has rarely experienced such a rapid and complete collapse of local law enforcement, a district attorney’s office, the indigent defense system, jails, and criminal courts. A perfect storm illuminated how unprepared a local criminal system may remain for a severe natural disaster or terrorist attack. The nearly unprecedented collapse of Louisiana criminal justice institutions and the mass detentions that resulted raise unique constitutional questions. We argue that constitutional criminal procedure rules failed to serve their intended protective roles during the emergency due to the institutional collapse of already vulnerable local actors.5 Post-Katrina, criminal procedure rules failed to protect individual rights or even ensure normalcy, while deferential doctrines rooted in federalism hindered provision of critical federal emergency assistance.

#### Natural disasters are national security threats.

Holland 13 (Andrew, Senior Fellow for Energy and Climate at American Security Project, a Washington D.C based think tank. He is an expert on energy, climate change, and infrastructure policy. He has over seven years of experience working at the center of debates about how to achieve sustainable energy security and how to effectively address climate change) “NATIONAL SECURITY, CLIMATE CHANGE AND THE PHILIPPINE TYPHOON.” November 13, 2013, Sustainable Security, Online: <https://sustainablesecurity.org/2013/11/13/national-security-and-the-philippine-typhoon/>

Last week, prior to the storm, in reference to Pacific Command’s disaster response mission and capability, the PACOM Commander Admiral Locklear said: It’s the right thing to do… Also, if something is going to happen in the Pacific that is going to create a churn in the security environment, the most likely thing will be a humanitarian disaster problem of some kind – whether it is horrific typhoons or tsunamis or floods or something else. He’s right. Beyond the clear threats to the human security of the residents of the affected area – loss of life, home, food, electricity, and clean water – natural disasters can act as a clear threat to national security, especially when the government is unable to respond effectively. That’s because a government failure can create the opportunity for other security threats to develop, ranging from crime and corruption to insurgency or terrorism. Unfortunately, we may already be seeing this in the Philippines; there are reports of massive looting after the storm passed over, and unverified reports that the Filipino military has engaged and killed a group from the New People’s Army, a communist rebel group in Leyte, as they tried to attack a government relief convoy.

#### In order to enforce civil liberties, a functioning court system is required.

Weinrib 03 (Laura, 2003 graduate of Harvard Law School. She completed her PhD in history at Princeton University in 2011. In 2000, she received an AB in literature and an AM in comparative literature from Harvard University. After law school, Weinrib clerked for Judge Thomas L. Ambro of the United States Court of Appeals for the Third Circuit. From 2009 to 2010, she was a Samuel I. Golieb Fellow in Legal History at the New York University School of Law) “CIVIL LIBERTIES ENFORCEMENT AND THE NEW DEAL STATE.” April 18, 2014, Online: <https://law.yale.edu/system/files/area/center/isp/documents/laura_weinrib_-_civil_liberties_enforcement_and_the_new_deal_state_-_fesc.pdf>, Accessed June 6, 2017

By the Second World War, civil liberties were effectively subsumed within the constitutional protections for criminal defendants, religious freedom, and, most famously, freedom of speech. Those rights, in turn, were enforced by the judiciary against an interventionist state. The vision of civil liberties that ultimately prevailed established the judiciary as a check on majoritarian democracy and administrative discretion. State action was its target, not its engine. Civil liberties enforcement was a species of judicial review that closely resembled substantive due process—that is, it curtailed government’s power to interfere with “private” behavior, without disturbing the legal framework through which market power was allocated and preserved—a feature that industry understood and quickly endorsed.

#### A functioning judiciary system is the only way to access the benefits of civil liberties or even to know what a civil liberty constitutes. Therefore, governments should prioritize protecting national security and by extension the court system.

# 1NR

they are going to extend the observation that says that you cant use 1 example but we don’t just say that this 1 example is the only time we can negate we say that these exapmles show empirical instances of times that governments acted justly in accordance to their moral obligation.

## Extensions

### Overview:

They tell you a nice story about the necessary steps for a government to take to preserve the liberties and freedoms of the public however they ignore a necessary prior question which is the necessity to maintain and preserve the function hood of the state, thus making national security a prerequisite. Even if you buy their arguments that civil liberties are good there is a fundamental syllogism of government actions and obligations that require you to negate. This debate exists on two layers 1. The formation and obligations of a state in terms of their ethical decision calculus and 2. In terms of the pragmatic reality of those decisions. On either layer, you negate.

On the framework – only the negative represents the reality of political philosophy in terms of the creation of a just government and their obligaiotns.

1. Hasnas 95 explains that morality requires a preservation of individuals livelihood and security in order to preserve their rationality concluding that a utilitarian calculus of the greatest good for the greatest number is then necessary.
2. Goodin 95 then explains that this is also true in a pragmatic sense because a government has an obligation to look at the ends of actions, or the necessarily enabled consequences made by the agents, because its impossible to know the means/or intentions/ of every potential outcome. They say that goodin writes that we cant look at consequences but you the evidence is very specific that we cant know the intention of every action so that consequentialism is our only option
3. Kimberling is good because it proves the specific obligation

## Frontlines

Their attempt to resist oppression through pedagogy only functions to reaffirm domination between teachers and students by enforcing a specific vision of resistance. True resistance requires one to be equally opened to contestation, or risk pedagogical imperialism. **RICKERT:**

(Thomas, “"Hands Up, You're Free": Composition in a Post-Oedipal World”, JacOnline Journal,)

“This essay will employ Deleuze's and Zizek's theories to illustrate the limitations of writing pedagogies that rely on modernist strategies of critical distance or political agency. **Implicit in** such **pedagogies is the faith that teaching** writing **can resist dominant social practices and empower students; however**, the notion that we can actually foster **resistance through teaching is** questionable. As Paul Mann states, "all the forms of opposition have long since revealed themselves as means of advancing it. ... The mere fact that something feels like resistance and still manages to offend a few people (usually not even the right people) hardly makes it effective" (138). In light of Mann's statement, I urge us to take the following position: teaching writing is **fully complicitous with dominant social practices**, and inducing students to write in accordance with institutional precepts can be as disabling as it is enabling. By disabling, I do not mean that learning certain skills-typically those most associated with current-traditional rhetorics, such as superficial forms of grammatical correctness, basic organization, syntactic clarity, and such-are not useful. Such skills are useful, and they are often those most necessary for tapping the power that writing can wield. In learning such skills, however, **we should** also **ask what students [aren’t]** are not **learning. What** other **forms** **of** writing and **thinking are being foreclosed** or distorted, forms of writing that have their own, different powers? **If** one of **our goals as teachers** of writing **is** to initiate students into rhetorics of power and **resistance, we should** also **be** **equally attuned to rhetorics of contestation.** Specifically, **we must take** on the **responsibility** that comes **with the impossibility of knowing the** areas of contention and **struggle that will be the most important in our students' lives.** Pedagogy could reflect this concern in its practices by attending to the idea that each student's life is its own telos, meaning that the individual struggles of each student cannot and should not necessarily mirror our own. Or, to put it another way, students must sooner or later overcome us, even though we may legitimate our sense of service with the idea that we have their best interests in mind. However, we should be suspicious of this presumptive ethic, for, as Mann astutely observes, "nothing is more aggressive than the desire to serve the other” (48)

**And,** this is particularly true in the context of debate because the norms the judge adopts as reflective of their vision towards resistance are only apparent after they have decided the round, which enforce those norms as legitimate upon the student. **Thus,** this is a reason to vote them down. They contradict the movement because their performance only reifies another system of domination so if they are winning the role of the ballot vote them down. **Additionally,** reading a standard of resisting oppression solves back because it does not advocate resistance through the pedagogical space itself rather it is simply a way to weigh offence, and still allows them to read their arguments.

**Butler alienates audiences, doesn’t provide a political solution for vulnerability, and destroys the agency of the “vulnerable”**

**Enns 10** (Diane, Associate Professor of Philosophy and Peace Studies at McMaster University, “When is a Book Grievable?”, Postmodern Culture Vol 20, No 2, Project Muse, dml)

Identity politics as we know it is precarity politics. Group identities become solidified based on a common experience of victimhood. Butler acknowledges this herself when she approvingly refers to Wendy Brown's incisive critique of "wounded attachments" as a basis for subjectivity (Butler 179). The risk—when injury becomes the defining moment of the subject—is that violence can easily be justified on this ground (see Brown). We would be wise then to listen to Arendt's assertion that the solidarity of persecuted peoples does not last longer than a minute after their liberation. It becomes dangerous, in fact, when it is believed that "life comes fully into its own only among those who are, in worldly terms, the insulted and injured" ("On Humanity" 13) It would be interesting to figure out precisely how precarity or vulnerability could also be the basis of our political strength, a point Václav Havel elaborated decades ago in *The Power of the Powerless* (1985). I had hoped that Butler would pursue this, and tell us how leftist politics—or any politics for that matter—could help. But her discussion of precarity only leaves us with truisms, which makes me wonder whom she considers her audience to be. For example, she remarks that "To live is always to live a life that is at risk from the outset and can be put at risk or expunged quite suddenly from the outside and for reasons that are not always under one's control" (30). This is followed with: "Part of the very problem of contemporary political life is that not everyone counts as a subject" (31). Would her audience not already know this? If she is writing to a left-wing, intellectual audience, she should address the question of where we go from here. If Butler is writing for readers outside of academic institutions and unfamiliar with her work or contemporary cultural theory in general, on the other hand, the jargon-filled, bumpy sentences would be so off-putting as to make this book unreadable indeed. And if she is writing for a community of scholars, the truisms (and the jargon-filled, bumpy sentences) equally make for tedious reading. While the idea of precarity has certainly caught on—we read these days about the precarious status of global laborers, of refugees and migrants, and of impoverished slum dwellers—without some direction on how shared vulnerability can help us refuse powerlessness, we may wallow in pity for a fragile humanity. As others besides Butler have done, we must seek power in the refusal of powerlessness. This power does not derive from any moral authority granted to the victim, but from what Havel called "humanity's revolt against an enforced position … an attempt to regain control over one's own sense of responsibility" (153). We need to address, in other words, the responsibility of vulnerable populations, not simply responsibility to them. This is why I am drawn to the writings of Partha Chatterjee, who is certainly aware of precarious lives in the slums of Calcutta, but does not rob them of their own agency. These inhabitants are indeed "the governed," but they nurture what Chatterjee calls "political society," a designation for those groups who may live illegally in a number of ways for the sake of survival, but who "make a claim to habitation and livelihood as a matter of right" (40). They have acquired a political existence where none was provided, showing how it may thrive in unexpected places. This is an example of what Havel describes as the "power of the powerless." For Rancière, it is essentially the definition of politics: that those "who have no part" assume their fundamental equality and contest the forces that seek to take it away. This is at the same time an assumption of responsibility for their own agency. If we must make something of grief besides a call for war, we must do more than dwell on the suffering of those deemed ungrievable.

#### They exclude developing countries from the fruition of ‘just government’ status – national security is necessary for third worlds to graduate from ‘statehood adolescence’ which is a prior question to prioritizing civil liberties.

Pasha 96 Pasha, Mustapha Kamal. “Security as Hegemony.” Alternatives: Global, Local, Political, vol. 21, no. 3, 1996, pp. 283–302. JSTOR, www.jstor.org/stable/40644863.

Against the backdrop of political fragility internally and systemic dis- advantage externally, revisionist writers on Third World security like Barry Buzan and Mohammed Ayoob suggest an alternative stance toward its conceptualization.13 The specificity of the Third World, in this formulation, overrides any considerations of successfully apply- ing traditional notions of security to entities that bear but a faint re- semblance to the master copy.14 Relative to the "mature" Western se- curity community, the Third World lacks the qualities of "stateness";15 it is inhabited by "quasi-states,"16 or mere "adolescents,"17 who must learn to grow up before taking on the burdens of a fuller participa- tion in the international system. To gain acceptance in the society of states, the argument goes, Third World states must first put their own house in order and acquire habits of responsible citizenship. To that end, they must tread several civilizational stages, embrace scientific rationality, build "modern" institutions, and overcome tradition; in short, they must Westernize. Yet Third World states must not raise their expectations too much. Rather, they ought stoically to welcome a subordinate position in an anarchic world in which might is the order of business. Condemned to marshal processes of state-building and nation-building simultaneously,18 they have no ordinary task. Eventually, however, the evolutionary optimism of modernization will bear fruit.19 Although promising appreciation for the historicity of Third World states and the particularity of their present condition in the system of states, these accounts of security provide no bridge from here to there. Once political cohesion based on this logic is achieved and the domestic political order is brought to produce a stable civil society and a mature state, what will guarantee that the Third World will not continue to be precisely that: the Third World? Premised on realism and its articulation of political space, the recent thinking on Third World security cannot escape the dilemma of bridging the sep- arate worlds of order/community and anarchy. As critical theorists have effectively noted, realism fails to give a viable answer to this dilemma.20 The two worlds are made up of very different principles and practices.21 The former is the realm of political life proper; of homogeneous political space: a site to build the good life, to instill social purpose, to realize freedom, to give meaning to social action. This is the sphere of the state, civil society, and the market - and their union. The latter is a domain where politics is missing. It is a realm of determination, where community is absent and self-help is the only recourse in a differentiated political space.22 Here there is no notion of the good life, only a state of nature - a naked surviv- ability.23 For the revisionists, however, these conundrums do not pre- sent insurmountable problems. One solution offered is to enlarge the concept of security in a way that can help address the specificity of the Third World security predicament and the antinomies of global life.24 In this approach, national security is no longer a cry of self-help in an anarchic uni- verse; it is now linked to other domestic concerns: regime stability,25 human rights development on a positivist index, overcoming envi- ronmental threats, provisioning equity and justice, and removing ethnic conflict; in brief, the menu of Third World studies and liberal policymaking.26 Once the concept of security has been infused with a new content, realism can be tailored to fit the body politic of Third World societies. To be sure, it is the internal aspect of security that must now take precedence over the usual threat from without.27 In this inversion of the standard realist thinking in international rela- tions, the Hobbesian paradox is brought to its original home - the domestic society28 - with pleas for establishing a civil society as an ini- tial step toward negotiating the state of nature at the international level. The manner in which civil society can escape the fetters of se- curity, even in this revised version, remains very problematic, how- ever, defeating any drastic renovations of the realist home. Despite these feats of ingenuity, no discernible theoretical avenues for connecting the two worlds are suggested. Instead, the politics of danger now invades both domestic and international society. The attempt either to enlarge the concept of security or to invert it has the un- wanted consequence of abolishing civil society altogether. This leaves very little prospect for Third World states to make it out there, be- cause revisionist realists empty out domestic society, as seen in their accounts of Third World national security. Provision of security, Ayoob notes in the quotation at the head of this section, is central to ensuring that "other values can be realized." Contra Ayoob, one is likely to find the obverse relation between se- curity and the achievement of other societal goals. Said to be mutu- ally constitutive,29 the practices of civil society and the state in the South Asian case in fact provide a stark rebuttal to the notion that the pursuit of "national" security can create either a more viable, say democratic, polity or an autonomous civil society. Instead, the pur- suit of national security undermines both. "National security" not only guards the borders like a vigilant sentinel; it occupies the terrain of politics and makes civil society march to its own drumbeat; in the act of marking off the boundaries of (international) anarchy from (do- mestic) community, "national security" domesticates civil society in its grand design, imbricating the two spheres. In this mutually rein- forcing interaction, the inscription of danger becomes a distinct motif of civil society and its agents:30 the intended fortification of the state from the outside conditions the character of civil society. But once implicated in the project of national security, civil society becomes the site of provisioning the necessary material and symbolic resources. Given the character of the Third World state as an aspir- ing modernizer against a familiar (Western) trajectory of historical evolution, little room remains to release civil society from statist predilections. Nowhere is the mutual interdependence between se- curity and civil society more pellucid than in South Asia.

### Kant weighing

#### Util comes first; either A) deontological ethics lead back to rules which require util necessary enablers calculus or B) deontology justifies morally repugnant actions & totalitarian states or C) intent cant be calculable or consistent so there’s no metric to weigh the offense

Studebaker 12 Moral Absolutism: The Detriments of Deontology by Benjamin Studebaker <https://benjaminstudebaker.com/2012/08/27/moral-absolutism-the-detriments-of-deontology/> August 27, 2012 PhD in Politics and International Studies at the University of Cambridge

All deontological ethics eventually lead back to a rule. In the case of some religious ethics, for example, homosexuality is considered immoral. The reason for this is not anything specific about homosexuality that is bad for society, it rests simply on the notion that, in various religious texts, there is a rule against it. Some authoritarian governments and philosophies have historically been rather deontological–some Marxists attempt to evaluate right and wrong based on adherence to Karl Marx’s writings. In fascism and racism, the ethic is often deontological in nature. An example would be the logical formulation of the fascist notion that Jews should be exterminated: Jews are bad Why are Jews bad? Because book X, leader Y, or law Z says so There are particularly harsh examples to illustrate the principle. Let’s examine something more banal and seemingly acceptable, such as the notion that murder is immoral. Murder is felt by many people to be intrinsically wrong. Some people claim that murder is wrong because “it kills people” or “it violates other people’s rights”. These formulations are not deontological because they are based on an outcome, an outcome that could vary in exceptional circumstances, such as the train case, in which my killing one person will save the lives of fifty and likely produce a better outcome. For deontologists, murder is wrong because murder is wrong. Pressed for some basis for this belief, a deontologist will cite a rule–murder is wrong because book X or leader Y says so. This is no different in terms of its thought process than the sequence of thoughts that make homosexuality wrong, or being Jewish wrong, or failing to adhere to Marxist tenants wrong. Sooner or later, in deontological ethics, an authority, usually a book, a leader, or a law, is appealed to. It is ethics via rules, and consequently it is ethics without critical thinking. Deontological ethics result in black-white paradigms in which actions are either right or wrong in themselves because of the edicts of some book, organisation, leader, set of laws, and so on. They are comfortable and easy to believe in because they do not require critical thinking or scepticism. The consequences of these acts do not matter, mitigating circumstances do not matter, even the definition or meaning of what it is to do “good” does not matter, since that definition is received wisdom from the authority. No one does any thinking, one simply obeys. It is like a perpetual childhood, in which, whenever the child inquires as to why something must or must not be done, the answer is always “because I said so”. Millions of people all over the world freely submit themselves to deontological mindsets, they freely choose perpetual ethical childhood, because it is easy and it makes their lives simple. I believe these kinds of absolutist morals based on fixed rules create narrow-minded people, people who mindlessly carry on the traditional beliefs of parents, leaders, and other community authority figures without question, irrespective of changing circumstances, irrespective of whether or not said beliefs promote any “good” that they understand or agree with independently of the authority figure’s commands. It is an ethical system for primitive, uneducated man, in need of outside moral guidance lest he become some kind of violent, marauding barbarian. It is not an ethical system for well-educated people in 21st century society, and it is certainly not an ethical system upon which our society should be structured. There will always be disagreement about what the “good” is for people not receiving their understanding of morality from an external authority, and it will always present difficult debates and hard decisions for societies, but those conversations and arguments are worth having, because they raise humanity to a higher intellectual plane and produce a higher degree of civilisation.

### Ripstein A2

#### (No brightline) Ripstein’s view on freedom doesn’t establish a brightline on interfering with people to pursue ends.

**Tardros 11** [University of Law at Warwick College], "Independence Without Interests?" Oxford Journal of Legal Studies, Vol. 31, No. 1 (2011), pp. 193-213, BE

Things get worse when we consider interference with another person’s body as a side-effect of my actions. If we are to maintain a right against interference that cannot be defeated by interests, it is wrong for me to interfere with you as a side-effect even if doing so is necessary to protect my fundamental interests. **Suppose that I am running away from a** raging **rhino**. **I am running along a narrow path where you are standing. You are looking at some** pretty **flowers by** the side of **the** **path**. **I can escape the rhino, but only by bumping you out of the way.** **Ripstein’s view implies that I must stop and be gorged to death by the rhino rather than bumping you out of the way. In bumping you** out of the way **I** would **interfere with your body**, **which you need to pursue your purposes of looking at the flowers**. Or imagine that a boulder is about to fall on my head killing me. I can divert it away from myself but if I do so it will bruise your foot. **Ripstein’s view implies that it would be wrong for me to do this.** **Even those who are very strict in applying the means principle will reject these conclusion**.

#### (Individual rights > Freedom) Ripstein’s account of the right to freedom cannot guide action, Valentini writes:

Valentini, Laura [Laura holds a first degree (“laurea”) in Political Science from Pavia University (Italy), and a Master’s and PhD in Political Philosophy from University College London. She was a Junior Research Fellow at The Queen’s College (Oxford University), and a postdoc at the Center for Human Values (Princeton University). Prior to joining the LSE, Laura was a Lecturer in Political Philosophy at UCL, where she is currently an Honorary Senior Research Associate. Laura has held visiting positions at the Australian National University, and at the Swedish Collegium for Advanced Study (Uppsala).] “Kant, Ripstein, and the Circle of Freedom: A Critical Note.” *European Journal of Philosophy* Vol. 20, Issue 3 pg. 450-459 (2012)

As Ripstein puts it, **a system where all have freedom as independence ‘is one in which each person is free to use his or her powers,** individually or cooperatively, to set his or her own purposes, and no one is allowed to compel others to use their powers in a way designed to advance or accommodate any other person’s purposes’ (p. 33, added emphasis). But how are we to determine what one’s powers and purposes are? Certainly not by looking at their actual powers and purposes. To be sure, **when policemen stop a thief, they prevent him from using his** (positive, as opposed to normative) **powers for his** (positive) **purposes, yet we would hardly regard such an intervention as unjust, as a violation of the thief’s right to freedom.** This is paradigmatically a legitimate intervention, aimed at ‘hindering a hindrance to freedom’ (i.e., the freedom of the victim, whose means would serve someone else’s, the thief’s, purposes). **The freedom referred to in the expression ‘hindering a hindrance to freedom’ cannot be any freedom, but must be the freedom one is entitled to on grounds of justice. Until we have an independent account of justice, then, we cannot know whether someone is free or unfree. Unless we know what is ours, we cannot know whether constraints on our de facto agency are violations of our independence or consistent with it.** Rather than grounding all rights and entitlements, **Ripstein**’s Kantian notion of freedom is derivative of them (i.e., it **presupposes them**). This appears clear once we notice that the cases Ripstein offers to illustrate instances of dependence and independence only work for his purposes if we assume a certain background account of justice. For instance, in the example offered earlier, involving market competition between Sam and John, a tacit assumption was made about the entitlement‐generating character of free market processes. Recall that, in Ripstein’s view, Sam’s driving customers away from John does not constitute a violation of John’s freedom‐as‐independence. This can only be so on the assumption that free market exchanges are entitlement‐generating independently of their outcomes. This assumption is controversial, and certainly not ‘implicit’ in the meaning of freedom. On some accounts of justice (Rawls’s, for instance), free market processes need to be regulated in order to be consistent with individuals’ rights. If such processes lead to excessive inequalities, Rawls argues, their outcomes need to be rectified in order to preserve free market exchanges over time.7 Whether the interaction between Sam and John involves a breach of freedom as independence, then, depends on what particular account of rights and entitlements one holds. **The right to freedom as independence is not the answer, but an independent** (and necessarily controversial) **account of persons’ rights is needed to know what freedom as independence is.** If my argument up to this point is correct, the unified nature of the Kantian approach offered by Ripstein is only illusory. **The right to freedom cannot constitute the ground of all other rights because freedom itself is defined in terms of persons’ rights. Without a prior account of what those rights are, the notion of freedom as independence is empty**; with such an account, it is expositionally parsimonious, but surreptitiously presupposes a complex theory of justice.

Thus, the right to freedom can never be the normative grounding for rights since Ripstein presupposes these rights. This means you evaluate my framework first since it provides a clear categorization of a system of rights, for instance, my Framework establishes that rights are those that benefit individuals and prevent them from egregious harm of utility.

#### (Ppl submit to gov’t) Governments as arbitrators of rights violations don’t make sense, because the system is punishing itself.

**Williamson Evers writes**: Evers, Williamson. “Social Contract: A Critique.” *Journal of Libertarian Studies,* Vol. 1, No.3, Pergamon Press, Department of Political Sciences, Stanford University, 1977. SR

Second, **[T]here is the question of the extent to which law violators consent to have the law imposed on them.** Hobbes says that **since the sovereign bears the will of his subjects, the subjects** do **consent to law enforcement.** Thus **punishments are no injury since each subject authorizes the sovereign who imposes the penalty. In the case of decisions of the sovereign which imperil the life of the subject, the subject can** either **obey** in order to preserve societal life, **or,** for the sake of his own self- preservation**, return to** a state of **war[.]** vis a-vis the sovereign. **The problem** for Rousseau **lies in the fact that the body politic is sovereign and thus is attacking itself by executing or punishing its own members.** This problem does much to reveal the practically Hobbesian character of Rousseau's supposedly democratic state. Rousseau's solution reveals the consequences of confining the function of the popular law- making assembly to the making of general rules. **The sovereign people delegate to a supposedly subordinate commission of magistrates or rulers the administration of government on a day-today basis. It is this ruler or commission of rulers that asks the citizen to die for the sake of the state to which the citizen has surrendered all rights. The member of the sovereign populace must** (like the citizen of Hobbes' state) **submit to the supposedly subordinate ruler or be excised from the body politic through exile or death as a violator of the social contract.**

## Top level

#### The aff’s belief that civil liberties ought to be prioritized distracts resources and attention from the successful balancing act – national security is a necessary qualifier for successful civil liberty enforcement

Larkin 11 How Must America Balance Security and Liberty December 9, 2011 Paul J. Larkin Jr. directs The Heritage Foundation’s project to counter abuse of the criminal law, particularly at the federal level.

The protections codified in the Bill of Rights are the final firewall against any intrusions on liberty that would unravel the checks in the Constitution. For example, without the First Amendment’s guarantee of the right to free speech, to assemble, and to petition government, the political branches would be less responsive to citizens’ concerns, and voters would be less informed of the significance of their choices. The Fourth Amendment’s prohibition on unreasonable searches and seizures ensures that the government may not arbitrarily harass those who oppose its policies. The Fifth Amendment’s Takings Clause requires the burden of government policies to be shared broadly. While they are important, these enumerated rights are also narrow and specific. They are only an infinitesimal portion of the rights retained by the states and the people. For example, you have the right to provide for your family, to direct the upbringing of your children, to make contracts, and to own a house. These rights, which are too numerous to list and too changing to set forth in a constitution, are subject not to specific guarantees but to the Constitution’s structural protections. Thus, most matters of national security and liberty are fit not for adjudication by the courts, but for the exercise of the judgment of the people through the political branches. By and large, the **United States has succeeded in preserving security and civil liberties by adopting policies that reinforce both**. When it has departed from that course, both liberty and security have suffered. Military strength under firm civilian control is the best guarantor of liberty. Thomas Jefferson observed “Whatever enables us to go to war, secures our peace.”[4] So it was in the Cold War, when U.S. strength and the system of government that underpinned it led to an American victory without a great war, and brought the greatest expansion in liberty in the history of the world. By contrast, America’s Cold War enemies sought to achieve military supremacy by planning and central control, organizing their people and their economies around the needs of the state, and denying their citizens’ most basic freedoms. But their ostentatious displays of strength—parades, flyovers, fleets—were hollow. They were the products of governments that were at war with the security and liberties of their peoples. The United States today faces the opposite risk. Maintaining a strong national defense secures liberty against threats known and unknown, from rogue states to terrorist organizations. This is the paramount and vital responsibility of the federal government. Intelligence-gathering, when effectively performed in ways consistent with Americans’ rights and expectations, is similarly essential. Such intelligence programs help to secure our liberties against those who seek to destroy them. The better these programs work, the more they protect our security and liberty. A perfect example is the use of military tribunals for terrorists. The use of tribunals in the United States dates back to the Revolutionary War, and has always been viewed as providing necessary flexibility in military operations, especially compared to the customary alternative, summary execution. Today, tribunals serve an additional function as a wall between our civilian justice system and the lawful compromises that must be made in trying violations of the laws of war. At times, the United States has made decisions that were counterproductive. While imprisoning those who actively conspire with the enemy in a time of war is sound policy, the internment of Japanese citizens because of their ethnicity during World War II was both unconstitutional and highly destructive of liberty. It was also counterproductive, diverting resources and attention, costing valuable manpower, and directly harming the war effort. The Sedition Act of 1798 was an abomination that, if anything, harmed America’s political system and made the nation less safe. But America has learned well from these mistakes, and is unlikely to repeat them. In Benjamin Franklin’s memorable saying, “They that can give up essential liberty to purchase a little temporary safety deserve neither liberty nor safety.” To this could be added that those willing to sacrifice liberty for security will, in the end, achieve neither. The proper way to balance security and liberty is not to balance them at all; it is to insist on policies that maximize both to the extent practicable.

#### Not prioritizing national security has grave consequences for neighboring countries and for the citizens of the country itself.

Denselow, James (writer on Middle East politics and security issues and a research associate at the Foreign Policy Centre) “Syria's deadly spillover.” July 15, 2016, Al Jazeera, Online: <http://www.aljazeera.com/indepth/opinion/2016/07/syria-deadly-spillover-160710063401547.html>, Accessed June 7, 2017 - MG

Recent deadly events in the Middle East have taken attention away from the cent, al Syrian conflict. Suicide bombers have struck three Saudi cities, multiple suicide attacks have hit a Christian village in North-Eastern Lebanon, Turkey is still reeling from the attack on its international airport in Istanbul, Jordan has declared its Syria border a closed military zone while Iraqis are still getting over the huge attack that killed 292 people in Baghdad. While the conflict inside Syria is fluid, multi-layered and deadly, it has been relatively, and somewhat surprisingly, contained over the past five years. This can no longer be said to be the case and a new European Council on Foreign Relations report has warned of a "regional contagion" as the delicate balance of power in Syria's neighbours and the wider Middle East beings to wobble. The reasons behind this lie in both direct spillover from Syria as well as the conflict exacerbating traditional domestic tensions within the neighbourhood. Declining capacity The spillover can be measured in terms of [there is] declining capacity to continue to accommodate the nearly five million refugees and the challenge of transnational militants travelling from Syria to carry out attacks. In domestic terms, weak states in Iraq and Lebanon have found their body politic largely defined by gridlock and an inability to chart any strategic vision of the future, while in Turkey renewed fighting with Kurdish groups inside the country has been of serious consequence. ALSO READ: The Syrian cage In terms of the particular threat from the Islamic State of Iraq and the Levant (ISIL, also known as ISIS), as the group is pushed more and more on to the back foot in Iraq and Syria, it may look to move from conventional to more unconventional tactics to maintain a tactical momentum. ISIL attacks, especially against symbolic targets, have the potential to act as deadly catalysts to rapid destabilisation. With an estimated 2,000 Jordanians, 2,000 Turks and 1,000 Lebanese fighting alongside ISIL in Syria and Iraq there is also the potential for many fighters returning home if ISIL continues to lose its urban areas following Ramadi and Fallujah's fall and pressure increasing on Raqqa and Mosul. ISIL attacks, especially against symbolic targets, have the potential to act as deadly catalysts to rapid destabilisation. Istanbul has already been hit three times this year. The tourism sector, struggling after Russia told its holidaymakers to stay away, has taken a huge hit. In Iraq, recent attacks on market places and religious shrines are designed to exacerbate sectarian tensions. Tactical ISIL attacks could stoke Turkey's internal ethnic tensions and with the Syrian regime reportedly cutting off Opposition held parts of Aleppo, their border may find itself under significantly more pressure from fleeing civilians. Smoke and flames rise after alleged US-led air strikes on the mills of Manbij where ISIL fighters are positioned, in Aleppo [REUTERS] Security first approach In Lebanon, ISIL attacks against Saudi targets could trigger further moves from Riyadh out of the country. Imposing a security-first approach on the Syrian refugees in the region may marginalise millions of vulnerable people even further and perhaps even push them into the arms of ISIL recruiters. In Lebanon, for example, there have already been reports of raids into Syrian refugee settlements and curfews imposed. What is more, if the security threat from Syria continues to grow rather than just closing and securing their own borders, Jordan and Turkey may look to establish forward borders and safe zones to ensure that they are better able to keep Syria’s fires away from them. ALSO READ: The death of the Syria peace process This regional threat means that there is a clear and urgent need to give impetus to Syria peace efforts that have flatlined over the past few months. The current drift is not without consequences elsewhere as regional resilience is not infinite. In addition, the increase in regional instability needs a response from world powers to ensure that not only are refugee appeals fully funded, which sounds simple but has been a constant battle to ensure countries fulfil their pledges, but more direct and imaginative initiatives are also pursued. This means refocusing the campaign against ISIL away from a Raqqa/Mosul twin focus to one that takes better account for regional security. It also means that the European Union in particular steps up to commit to large-scale development projects in the region that could both address the thorny issue of refugee employment, but would also be symbolic of a genuine commitment and partnership to facing up to the challenge of the Syrian conflict between Europe and the regional powers. The ECFR report warned that "the region's fragile stability is hanging by a thread". This thread needs to be grasped, strengthened and supported, otherwise the scenario of the wildfires of Syria's conflict spreading across the region will become very real indeed. James Denselow is a writer on Middle East politics and security issues and a research associate at the Foreign Policy Centre. The views expressed in this article are the author's own and do not necessarily reflect Al Jazeera's editorial policy.

#### Civil liberties cannot be exercised if citizens are threatened by breaches of security

Inbau 99 [Fred [Professor of Law], *Public safety v. individual civil liberties: The prosecutor’s stand*, Journal of Criminal Law and Criminology, 89(4), 1413-1420) Accessed June 7, 2017, Online: http://scholarlycommons.law.northwestern.edu/cgi/viewcontent.cgi?article=7027&context=jclc

We can't have "domestic tranquility" and "promote the general welfare" as prescribed in the Preamble to the Constitution when all the concern is upon "individual civil liberties." Individual rights and liberties cannot exist in a vacuum. Alongside of them we must have a stable society, a safe society; otherwise there will be no medium in which to exercise such rights and liberties. To have "rights" without safety of life, limb, and property is a meaningless thing. Individual civil liberties, considered apart from their relationship to public safety and security, are the labels on empty bottles. This truism that we can't have unbridled individual liberties and at the same time have a safe, stable society is the first message that we must get across to the public. I am fed up with such platitudes as "the right to be let alone"-when it is used as though it were an unconditional right. Sure, as individuals, we all would like to be let alone. You and I at times would like to do as we please. If we are in a hurry to go somewhere in our car, we might want to run a red light or to exceed the speed limit and be let alone after we do it. The burglar, the robber, the rapist would also like to be let alone. But in the interest of public safety and public welfare, there must be reasonable restraints upon the conduct and activities of all of us.

#### \*\* They exclude developing countries from the fruition of ‘just government’ status – national security is necessary for third worlds to graduate from ‘statehood adolescence’ which is a prior question to prioritizing civil liberties.

Pasha 96 Pasha, Mustapha Kamal. “Security as Hegemony.” Alternatives: Global, Local, Political, vol. 21, no. 3, 1996, pp. 283–302. JSTOR, www.jstor.org/stable/40644863.

Against the backdrop of political fragility internally and systemic dis- advantage externally, revisionist writers on Third World security like Barry Buzan and Mohammed Ayoob suggest an alternative stance toward its conceptualization.13 The specificity of the Third World, in this formulation, overrides any considerations of successfully apply- ing traditional notions of security to entities that bear but a faint re- semblance to the master copy.14 Relative to the "mature" Western se- curity community, the Third World lacks the qualities of "stateness";15 it is inhabited by "quasi-states,"16 or mere "adolescents,"17 who must learn to grow up before taking on the burdens of a fuller participa- tion in the international system. To gain acceptance in the society of states, the argument goes, Third World states must first put their own house in order and acquire habits of responsible citizenship. To that end, they must tread several civilizational stages, embrace scientific rationality, build "modern" institutions, and overcome tradition; in short, they must Westernize. Yet Third World states must not raise their expectations too much. Rather, they ought stoically to welcome a subordinate position in an anarchic world in which might is the order of business. Condemned to marshal processes of state-building and nation-building simultaneously,18 they have no ordinary task. Eventually, however, the evolutionary optimism of modernization will bear fruit.19 Although promising appreciation for the historicity of Third World states and the particularity of their present condition in the system of states, these accounts of security provide no bridge from here to there. Once political cohesion based on this logic is achieved and the domestic political order is brought to produce a stable civil society and a mature state, what will guarantee that the Third World will not continue to be precisely that: the Third World? Premised on realism and its articulation of political space, the recent thinking on Third World security cannot escape the dilemma of bridging the sep- arate worlds of order/community and anarchy. As critical theorists have effectively noted, realism fails to give a viable answer to this dilemma.20 The two worlds are made up of very different principles and practices.21 The former is the realm of political life proper; of homogeneous political space: a site to build the good life, to instill social purpose, to realize freedom, to give meaning to social action. This is the sphere of the state, civil society, and the market - and their union. The latter is a domain where politics is missing. It is a realm of determination, where community is absent and self-help is the only recourse in a differentiated political space.22 Here there is no notion of the good life, only a state of nature - a naked surviv- ability.23 For the revisionists, however, these conundrums do not pre- sent insurmountable problems. One solution offered is to enlarge the concept of security in a way that can help address the specificity of the Third World security predicament and the antinomies of global life.24 In this approach, national security is no longer a cry of self-help in an anarchic uni- verse; it is now linked to other domestic concerns: regime stability,25 human rights development on a positivist index, overcoming envi- ronmental threats, provisioning equity and justice, and removing ethnic conflict; in brief, the menu of Third World studies and liberal policymaking.26 Once the concept of security has been infused with a new content, realism can be tailored to fit the body politic of Third World societies. To be sure, it is the internal aspect of security that must now take precedence over the usual threat from without.27 In this inversion of the standard realist thinking in international rela- tions, the Hobbesian paradox is brought to its original home - the domestic society28 - with pleas for establishing a civil society as an ini- tial step toward negotiating the state of nature at the international level. The manner in which civil society can escape the fetters of se- curity, even in this revised version, remains very problematic, how- ever, defeating any drastic renovations of the realist home. Despite these feats of ingenuity, no discernible theoretical avenues for connecting the two worlds are suggested. Instead, the politics of danger now invades both domestic and international society. The attempt either to enlarge the concept of security or to invert it has the un- wanted consequence of abolishing civil society altogether. 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"National security" not only guards the borders like a vigilant sentinel; it occupies the terrain of politics and makes civil society march to its own drumbeat; in the act of marking off the boundaries of (international) anarchy from (do- mestic) community, "national security" domesticates civil society in its grand design, imbricating the two spheres. In this mutually rein- forcing interaction, the inscription of danger becomes a distinct motif of civil society and its agents:30 the intended fortification of the state from the outside conditions the character of civil society. But once implicated in the project of national security, civil society becomes the site of provisioning the necessary material and symbolic resources. Given the character of the Third World state as an aspir- ing modernizer against a familiar (Western) trajectory of historical evolution, little room remains to release civil society from statist predilections. Nowhere is the mutual interdependence between se- curity and civil society more pellucid than in South Asia.

### AT Wiretapping Bad

#### Wiretapping is necessary in order to protect national security. Regulations have been made so that information obtained cannot be disclosed without necessity, so there are no harms to wiretapping.

Kerr 03, Orin S. Kerr [Associate Prof., George Washington University Law School], “Internet Surveillance Law After The USA Patriot Act: The Big Brother That Isn’t,” Northwestern University Law Review 97:607 (2003).

Criticisms of the pen register amendments also failed to note that the negotiations over the various bills that led to the Patriot Act actually added privacy protection to the pen register statute that prohibit the disclosure of information obtained through envelope surveillance. 158 Prior to the Patriot Act, government officials could publish or leak information obtained by use of a pen register or trap and trace device. 159 During the congressional negotiations, pro-privacy legislators managed to insert language that [There are] limits to] the disclosure of information obtained through prospective envelope surveillance of Internet and telephone communications to disclosures made “in the proper performance of the official functions of the officer or governmental entity making the disclosure.” 160 Any other disclosure is prohibited. 161 Although the exact contours of this prohibition remain unclear, the new provision bolsters the privacy protections that the pen register statutes offer to envelope information.